

PROTECTION ISLAND NATIONAL WILDLIFE
REFUGE

MAY 26 (legislative day, MAY 25), 1982.—Ordered to be printed

Mr. CHAFEE, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany H.R. 1486]

The Committee on Environment and Public Works to which was referred the act (H.R. 1486) to establish the protection Island Wildlife Refuge, Jefferson County, State of Washington having considered the same, reports favorably thereon with amendments and recommends that the act as amended do pass.

BACKGROUND

On January 29, 1981, S. 327, a bill to establish the Protection Island National Wildlife Refuge, Jefferson County, State of Washington, was introduced in the Senate by Senator Gorton and Senator Jackson. On the same day, H.R. 1486 was introduced in the House of Representatives. H.R. 1486 was passed by the House of Representatives on December 15, 1981, and was subsequently referred to the Committee on Environment and Public Works in the Senate. The purpose of both bills, the language of which was identical at introduction, is to retain and perpetuate the nesting of seabirds on Protection Island by establishing a National Wildlife Refuge on the Island.

Approximately two-thirds of some 30,000 pairs of seabirds nesting in the Puget Sound Basin and the Strait of Juan de Fuca nest on the 400 acres of Protection Island, situated at the entrance to Discovery Bay near Port Townsend in Jefferson County, Washington. In 1968, the Protection Island Company initiated subdivision plans to include nearly 1,100 lots to be sold for residential and/or recreation sites. To date, approximately 580 owners have invested in property on the Island. However, very few of the lots have building improvements on them because Jefferson County has since 1974 imposed a building moratorium until a state-approved water system is developed. Should

the water supply problem be resolved and development commence, the integrity and value of the Island as a seabird nesting site will be dramatically reduced.

Because it is free of mammalian predators, Protection Island has long been an important nesting area and supports the largest of the major marine bird breeding colonies in the Puget Sound region of Washington State. The rhinoceros auklet breeding colony, at approximately 17,000 pairs, is the largest U.S. population for that species south of Alaska and possibly the fourth largest in North America. Due to a variety of factors, including the need for a burrowing habitat and its susceptibility to mammalian predation, there are believed to be only six areas supporting more than 10,000 pairs of rhinoceros auklets. One of those is Protection Island. The Director of the U.S. Fish and Wildlife Service testified on February 8, 1980 at a hearing before the Subcommittee on Environmental Pollution that Protection Island is an important natural habitat for the rhinoceros auklet and other bird species. The Admiralty Audubon Society, the Washington State Department of Game strongly advocate the creation of a national wildlife refuge on Protection Island.

It is necessary that Protection Island be placed in public ownership to exert the level of control necessary to minimize conflicts between man and the wildlife using the Island, prevent the permanent destruction and loss of habitat due to development, and reduce the potential for the introduction of predatory animals.

SUMMARY OF COMMITTEE ACTION

S. 327 and H.R. 1486 were referred to the Committee on January 29, 1981 and February 2, 1982, respectively. On February 8, 1982, the Subcommittee on Environmental Pollution held a hearing on both bills. Testimony was heard from the Honorable Don Bonker, Representative from the Third District of Washington, the Honorable Robert Jantzen, Director of the U.S. Fish and Wildlife Service, Mr. Philip Vorvick, representative of the Protection Island Property Owners Association, Mrs. Eleanor Stopps, representing the Admiralty Audubon Society and the Save Protection Island Association, and Ms. Lorna Campion, representing the Seattle Audubon Society. The Subcommittee met on April 28, 1982, to develop markup recommendations for consideration by the full Committee. On May 6, 1982, the Committee on Environment and Public Works favorably reported H.R. 1486 with the amendments described herein by a unanimous vote.

SECTION-BY-SECTION ANALYSIS

Section 2

Section 2 of the bill states congressional findings.

Section 3

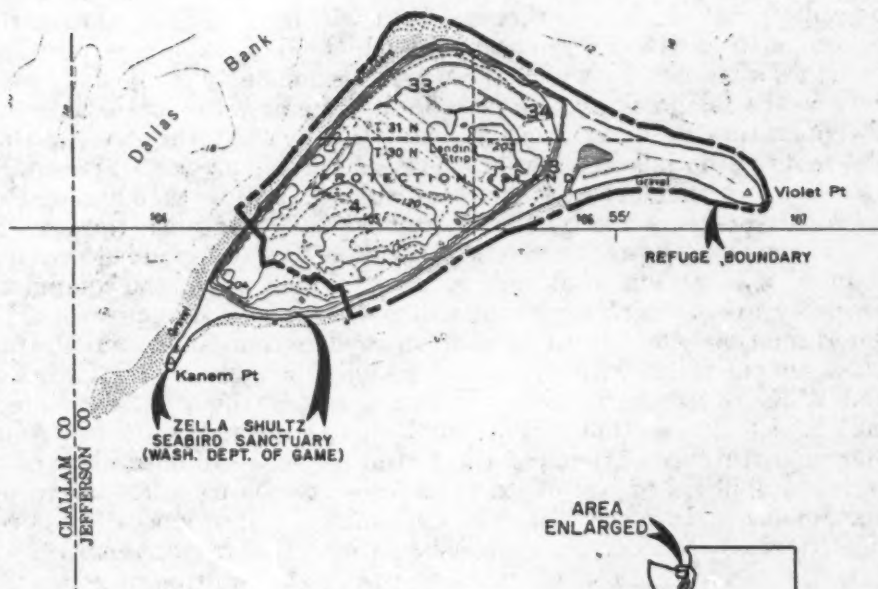
Section 3 of the bill defines the terms "refuge" and "Secretary".

Section 4

Section 4 of the bill authorizes the Secretary of the Interior to acquire properties within the boundaries of the refuge. Such boundaries are set forth in a map dated September 1980, which is on file with the U.S. Fish and Wildlife Service. A copy of said map follows:

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UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
PROTECTION ISLAND NATIONAL WILDLIFE REFUGE
JEFFERSON COUNTY, WASHINGTON
T.30 AND 31N., R.2W.
WILLAMETTE MERIDIAN



NOTE: REFUGE BOUNDARY COINCIDES WITH
THE LINE OF MEAN LOWER LOW WATER.



PORTLAND, OREGON

SEPTEMBER 1980

IR WASH

401

The Secretary is fully empowered to make acquisitions as is the Secretary's practice generally in developing National Wildlife Refuges, with two exceptions. With respect to land within the proposed refuge boundaries that has a suitable personal residence on it as of the effective date of the Act, the Secretary should first offer to acquire the land subject to a life use, or at the option of the owner, to an extended use, subject to such terms and conditions as the Secretary deems appropriate. The phrase in subsection 4(b)(1)(A) "structure, suitable for use as a personal residence" means structures which are actually habitable. The Committee received testimony that a number of

structures exist on Protection Island which are used by property owners for temporary shelter while they use their property. A wind-break or a rain shelter is not a "structure suitable for use as a personal residence." A structure is a personal residence when it has been constructed in accordance with residential building permits issued by the appropriate county authority or is part of the county assessor's determination of the property's assessed value as an "improved" property. The mere fact that persons sleep in the structure on some nights each year is insufficient to render a structure a "personal residence."

The phrase, "extended use reservation for a shorter term of years, subject to such terms and conditions as the Secretary deems necessary or appropriate to insure that the land will be used in a manner that is compatible with the purposes for which the refuge is established" provides a method by which those persons currently using their property on the Island can continue to do so in a manner is compatible with the operation of a National Wildlife Refuge. At the present time, residents of the Island are able to use community property areas of the Island as an incident to their ownership of individual parcels. Purchase of those parcels by the Secretary will extinguish those rights to use community property. The creation of life or extended uses pursuant to this section would allow for continued use of the community property areas which are compatible with refuge management. The determination whether the use of an area is compatible with refuge management is one which must, necessarily, be made by the U.S. Fish and Wildlife Service, which will manage the refuge. For example, it may be determined that full use of the docks and ramps of the present marina or full use of roads on the Island for access to individual properties by holders of life or extended uses are compatible with refuge management. However, it may be determined that any use of the present airstrip by any person is inconsistent with refuge management.

In the case of land which does not meet the definition of subsection 4(b) (1) and consequently falls within subsection 4(c), the Secretary should give consideration to providing for extended use reservations to the extent that they too are compatible with refuge management. Such reservations could be limited in time or character of use so as to protect against interference with the refuge's purposes. The Secretary should consider not only the effect of each individual reservation, but also the cumulative effect of granting each individual reservation.

Subsection 4(d) of the bill was added by the Senate Committee on Environment and Public Works. This subsection is intended to provide a method by which individual property owners who desire to sell their property to the government immediately may do so. The Committee received testimony that some landowners, including groups interested in preservation of the Island who have recently purchased lots at the assessed value, desire to sell their property immediately to the Federal Government. Other landowners, the value of whose land is stressed by the available water supply, the construction moratorium placed on Island properties by the Jefferson County Commission, and the imminent passage of this legislation, may desire to sell their property as soon as possible and may be willing to do so at the current assessed value. Inasmuch as these sales would be voluntary and would not involve the relocation of persons, this amendment would exempt such transactions from the requirements of the Uniform Relocation

Assistance and Real Property Acquisition Policy Act of 1970, U.S.C. 4601-4655.

The authority of the Secretary to make purchases under subsection 4(d) is discretionary, the term "may" having been specifically contemplated by the Committee. The exercise of this discretionary authority should be based on the general availability of funding, the conveyance of satisfactory title, and the general acquisition strategy of the Secretary.

Section 4(e) of the bill was also added by the Senate Committee on Environment and Public Works. This subsection is intended to delay acquisition by condemnation for a period of two years after Congress has first appropriated funds for the acquisition of the refuge unless such condemnation is needed to control public access to concentrated nesting sites within the refuge. The purpose of this subsection is to give preference to acquisitions made pursuant to Section 4(d) or any other voluntary transaction.

The provisions of subsection 4(d) should not be construed to limit the Secretary's authority to engage in the normal negotiation and acquisition process with persons who are not interested in the assessed value acquisition approach created by subsection 4(d). The normal negotiation and acquisition process would be limited by subsection 4(e), however, in that such negotiations and acquisitions could not be consummated through condemnation proceedings except as might be necessary to control public access to concentrated nesting sites within the refuge.

Section 5

Section 5 of the bill as amended establishes the means by which the Secretary shall establish the refuge.

Section 6

Section 6 of the bill authorizes to be appropriated \$4,000,000 for acquisition of properties within the refuge.

ROLLCALL VOTES

Section 7(c) of Rule XXVI of the Standing Rules of the Senate requires that any rollcall votes taken during consideration of this bill be announced in this report. The bill was ordered reported by the Committee on Environment and Public Works on May 6, 1982; by a unanimous rollcall vote.

EVALUATION OF REGULATORY IMPACTS

In compliance with section 11(b) (1) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact of the reported bill.

The reported bill does not add to or reduce the regulatory authority of the Secretary of Interior as provided by existing law. The bill has no impact on the personal privacy of individuals.

COST OF LEGISLATION

Sections 11(a) (1) and (2) of Rule XXVI of the Standing Rules of the Senate require publication in the report of the Committee's

estimate of the costs of the reported legislation, together with estimates prepared by any Federal agency. This bill provides an authorization of \$4 million.

Section 403 of the Congressional Budget and Impoundment Control Act requires the report accompanying each bill to contain a statement of the cost of that bill prepared by the Congressional Budget Office. That report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 10, 1982.

Hon. ROBERT T. STAFFORD,
Chairman, Committee on Environment and Public Works, U.S.
Senate, Dirksen Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 1486, the Protection Island National Wildlife Refuge Act.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN,
Director.

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

MAY 10, 1982.

1. Bill number: H.R. 1486.
2. Bill title: Protection Island National Wildlife Refuge Act.
3. Bill status: As ordered reported by the Senate Committee on Environment and Public Works, May 6, 1982.
4. Bill purpose: The bill directs the Secretary of the Interior to establish the Protection Island National Wildlife Refuge in the State of Washington. It authorizes the Secretary to acquire lands and waters, or interests therein, for the purposes of establishing the refuge by donation, purchase with donated or appropriated funds, or exchange. The appropriation of \$4 million in fiscal year 1983 for acquisition is authorized.

5. Cost estimate:

Authorization level:

Fiscal year:	Millions
1983	-----
1984	----- \$4.0
1985	-----
1986	-----
1987	-----

Estimated outlays:

Fiscal year:	
1983	-----
1984	----- 1.6
1985	----- 1.6
1986	----- .8
1987	-----

The costs of this bill fall within budget function 300.

6. Basis of estimate: The authorization level is that stated in the bill. For purposes of this estimate, it is assumed that the entire authorization will be appropriated prior to the start of fiscal year 1983. Outlays are estimated based on information from the Fish and Wildlife Service. Appropriations to be spent on annual operation and maintenance expenses are not authorized in this bill; these expenses are estimated to be negligible.

7. Estimate comparison: None.

8. Previous CBO estimate: A cost estimate for H.R. 1486, as ordered reported by the House Committee on Merchant Marine and Fisheries, was prepared on December 9, 1981. That version of the bill was virtually identical to this one, except that it authorized the appropriation of \$5 million for fiscal year 1983.

9. Estimate prepared by: Anne Hoffman.

10. Estimate approved by:

C. G. NUCKOLS
(For James L. Blum,
Assistant Director for Budget Analysis).

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, it is reported that this bill effects no change in existing law.



SAFE DRINKING WATER ACT EXTENSION

MAY 26 (legislative day, MAY 25), 1982.—Ordered to be printed

Mr. GORTON, from the Committee on Environment and Public Works, submitted the following

REPORT

[To accompany S. 2576]

The Committee on Environment and Public Works, reports an original bill (S. 2576), to extend the Safe Drinking Water Act, as amended, for one year and recommends that the bill do pass.

GENERAL STATEMENT

Passage of the Safe Drinking Water Act in 1974 culminated four years of congressional deliberation on the subject of protecting the Nation's drinking water supplies. The law that was passed (Public Law 93-523) established a national policy of protecting surface and ground water sources to ensure a safe drinking water supply for the American population. This law was passed in recognition of the need for a Federal effort to address increasing outbreaks of waterborne disease and occurrences of hazardous and toxic chemicals and other industrial wastes in drinking water.

The Act provides the Administrator of the Environmental Protection Agency with the authority to establish national standards for contaminants in drinking water and to regulate underground injection practices which may adversely affect ground water quality. The Act provides for the delegation of responsibility to the States for carrying out the program when they demonstrate that they can meet standards at least as stringent as Federal standards and that they have adequate resources to assure enforcement of their program. To date, 49 States and territories have been delegated this authority. Twenty States have submitted applications for partial or total primacy of their Underground Injection Control programs (Part C of the Act) which are in varying stages of review by the Agency.

SUMMARY OF THE BILL

The Committee recommends that the Safe Drinking Water Act be reauthorized for one year, through fiscal year 1983. It further recommends that \$65,477,600 be authorized to be expended for carrying out the purposes of the Act as follows:

Authorized for section 1424(e) (Sole Source Aquifer Protection) ---	\$10,000,000
Authorized for section 1442(f) (Funds Program Management) -----	19,453,100
Authorized for section 1443(a) (7) (Public Water System Grants) -	29,450,000
Authorized for section 1443(b) (5) (Underground Injection Control Grants) -----	6,574,500
Total funding authorized under this proposal -----	65,477,600

The Administration request for the EPA drinking water program in fiscal year 1983 is \$46,846,000. It is the sense of the Committee that this level of funding is inadequate to carry forth the programs mandated by the Safe Drinking Water Act. The Committee recommendation is derived from the Agency's estimated spending level for this program in fiscal year 1982. This proposal is consistent with the recommendation submitted to the Budget Committee on March 8, 1982, for programs within the Environmental Protection Agency. Additionally, the Committee recommends authorizing \$10,000,000 to provide matching grants to States under the Sole Source Aquifer provision of the Act, section 1424(e), for the purpose of developing long-term plans to protect ground water supplies.

HEARINGS

One hearing was conducted by the Toxic Substances and Environmental Oversight Subcommittee on March 29, 1982. Representatives from public and private water supply systems and public interest groups, State and local drinking water officials, and two Members of the House of Representatives presented testimony.

ROLLCALL VOTES

Section 7(c) of Rule XXVI of the Standing Rules of the Senate requires that any rollcall votes taken during consideration of this bill be announced in this report.

There were no rollcall votes taken during consideration of this bill. The bill was ordered reported by voice vote.

EVALUATION OF REGULATORY IMPACT

The Committee has evaluated the regulatory impact of the bill. The bill authorizes no new regulatory authority, removes no regulatory authority, and creates no new regulatory implications.

COST OF LEGISLATION

The bill authorizes the appropriation of \$65,477,600 for fiscal year 1982 to the Environmental Protection Agency for the purpose of carrying out the mandates of the Safe Drinking Water Act.

Section 403 of the Congressional Budget and Impoundment Control Act requires each legislative report to contain a statement of the cost of the reported bill prepared by the Congressional Budget Office. That report follows.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 12, 1982.

HON. ROBERT T. STAFFORD,
*Chairman, Committee on Environment and Public Works, U.S. Senate,
Dirksen Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for a bill to extend the Safe Drinking Water Act, as amended, for one year.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN, *Director.*

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

MAY 12, 1982.

1. Bill number: Not yet assigned.
2. Bill title: A bill to extend the Safe Drinking Water Act, as amended, for one year.
3. Bill status: As ordered reported by the Senate Committee on Environment and Public Works, May 10, 1982.
4. Bill purpose: the bill authorizes the appropriation in fiscal year 1983 of \$63.5 million for various programs mandated by the Safe Drinking Water Act.
5. Cost estimate:

Authorization level:

Fiscal year:	Millions
1983	\$63.5
1984	
1985	
1986	
1987	

Estimated outlays:

Fiscal year:	
1983	\$49.3
1984	10.3
1985	3.9
1986	
1987	

The costs of this bill fall within budget function 300.

6. Basis of estimate: The entire amount authorized by the bill is assumed to be appropriated prior to the start of fiscal year 1983. Outlays are estimated based on information from the Environmental Protection Agency.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Anne E. Hoffman.

10. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman:

SHORT TITLE

SECTION 1. This Act may be cited as the "Safe Drinking Water Act".

PUBLIC WATER SYSTEMS

SEC. 2. (a) The Public Health Service Act is amended by inserting after title XIII the following new title:

TITLE XIV—SAFETY OF PUBLIC WATER SYSTEMS

* * * * *

PART C—PROTECTION OF UNDERGROUND SOURCES OF
DRINKING WATER

* * * * *

INTERIM REGULATION OF UNDERGROUND INJECTIONS

SEC. 1424. (a) * * *

* * * * *

(e) If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the Federal Register. After the publication of any such notice, no commitment for Federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for Federal financial assistance may, if authorized under another provision of law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer. *For the purpose of making matching grants to States for the development of groundwater protection plans for sole source aquifer regions, there is authorized to be appropriated the sum of \$8,000,000 for the fiscal year ending September 30, 1982.*

* * * * *

PART E—GENERAL PROVISIONS

ASSURANCE OF AVAILABILITY OF ADEQUATE SUPPLIES OF CHEMICALS
NECESSARY FOR TREATMENT OF WATER

SEC. 1441. (a) * * *

* * * * *

(f) No certification of need or order issued under this section may remain in effect—

- (1) for more than one year, or
 - (2) after September 30, **[1982]** 1983,
- whichever occurs first.

* * * * *

GRANTS FOR STATE PROGRAMS

SEC. 1443. (a) (1) * * *

(7) For the purposes of making grants under paragraph (1) there are authorized to be appropriated \$15,000,000 for the fiscal year ending June 30, 1976, \$25,000,000 for the fiscal year ending June 30, 1977, \$35,000,000 for fiscal year 1978, \$45,000,000 for fiscal year 1979, \$29,450,000 for the fiscal year ending September 30, 1980, \$32,000,000 for the fiscal year ending September 30, 1981, **[and]** \$34,000,000 for the fiscal year ending September 30, 1982, *\$29,450,000 for the fiscal year ending September 30, 1983.*

(b) (1) * * *

* * * * *

(5) For purposes of making grants under paragraph (1) there are authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1976, \$7,500,000 for the fiscal year ending June 30, 1977, \$10,000,000 for each of the fiscal years 1978 and 1979, \$7,795,000 for the fiscal year ending September 30, 1980, \$18,000,000 for the fiscal year ending September 3, 1981, **[and]** \$21,000,000 for the fiscal year ending September 30, 1982, *\$6,547,500 for the fiscal year ending September 30, 1983.*

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AUTHORIZATIONS FOR ENVIRONMENTAL RESEARCH,
DEVELOPMENT, AND DEMONSTRATIONS

MAY 26 (legislative day, MAY 25), 1982.—Ordered to be printed

Mr. GORTON, from the Committee on Environment and Public Works, submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany S. 2577]

The Committee on Environment and Public Works reports an original bill (S. 2577), to authorize appropriations for environmental research, development, and demonstrations for the fiscal year 1983, and for other purposes and recommends that the bill do pass.

EPA PROGRAM AUTHORIZATIONS

As reported by the Committee, the bill authorizes appropriations of \$264,045,000 for environmental research and development in the Environmental Protection Agency.

1. *Air Quality*.—The fiscal year 1983 authorization for air quality research is \$55,685,000 which represents an increase of \$8,500,000 above the Administration's 1983 request. The Committee Members recommend that the Agency accelerate the development of risk assessments for photochemical oxidants and hazardous air pollutants. It is critically important to the appropriate future regulation of hazardous air pollutants that research continue on atmospheric and source monitoring of hazardous air pollutants. The Committee also encourages the Agency to continue long-term research on the formation of photochemical oxidants and their environmental effects.

2. *Water Quality*.—The fiscal year 1983 authorization for water quality research is \$39,710,000. A majority of the Committee supports an increased level of funding to support water quality research activities beyond the Agency request for this program. Committee Members

object however, to the intent of the Agency to allocate funds within the Environmental Processes and Effects category for the purpose of determining site specific criteria guidelines. The Committee finds expenditure of funds for this purpose to be inconsistent with the goals and objectives of the Clean Water Act. It is recommended that the funds that would support this activity be dedicated to long-term research supporting the attainment of water quality goals set forth in this Act. Further, the Committee Membership recommends that Great Lakes research and development funding be restored and research on non-point source monitoring be continued.

3. *Drinking Water.*—The fiscal year 1983 authorization for drinking water research and development is \$25,906,000. Committee Members recommend that the drinking water research effort support studying the chronic effects of drinking water contaminants on public health, the fate and effect of contaminants upon underground drinking water sources, and continue research on the development of control techniques for small water systems.

4. *Hazardous Waste.*—The fiscal year 1983 authorization for hazardous waste research is \$33,964,000. A majority of the Committee encourages the Agency to accelerate the development and validation of methods to predict expected pollution concentrations and the costs associated with the various disposal options. The Committee further encourages the Agency to continue to provide quality assurance services to local, State and Environmental Protection Agency laboratories.

5. *Pesticides.*—The fiscal year 1983 authorization for research under the Federal Insecticide, Fungicide, and Rodenticide Act is \$6,469,000.

6. *Radiation.*—The fiscal year 1983 authorization for radiation research is \$2,041,000. Committee Members recommend that the Agency continue and enhance research on the health effects of non-ionizing radiation.

7. *Interdisciplinary.*—The fiscal year 1983 authorization for interdisciplinary research is \$10,870,000. The Committee Membership encourages additional support of the Centers of Excellence Program to support long-term environmental research.

8. *Toxic Substances.*—The fiscal year 1983 authorization under the Toxic Substances Control Act is \$28,149,000. The Committee Members recommend that epidemiology studies on the health effects of toxic pollutants continue. The Agency should enhance the development and validation methods for making hazard assessments of toxic pollutants.

9. *Energy.*—The authorization for fiscal year 1983 for energy research and development is \$51,530,000. A majority of the Committee recommends that the Agency enhance its quality assurance services to State, local, and EPA laboratories for energy pollutants monitoring. The Committee also encourages the Agency to carry out a thorough research program to develop and demonstrate energy pollution control technology. In the environmental effects area, the Committee Membership encourages the Agency to maintain its efforts to characterize emissions and develop atmospheric transport, transformation, and dispersion models for pollutants. Further, the Committee recommends that the Agency continue its long-term research efforts on the environmental effects of oil shale development, coal mining, natural gas recovery, and uranium mining.

10. *Program Management.*—The fiscal year 1983 authorization for Program Management and Support is \$9,721,000. The Committee Membership recommends that the Agency expand opportunities for EPA scientists to attend scientific seminars and conferences, and conduct additional site visits to contractors.

In addition to the specific media authorizations, the Committee Members direct the Agency to commit 20 percent of research and development funds for long-term research.

ROLLCALL VOTES

Section 7(c) of Rule XXVI of the Standing Rules of the Senate requires that any rollcall votes taken during consideration of this bill be announced in this report.

There were no rollcall votes taken during consideration of this bill. The bill was ordered reported by a unanimous voice vote.

EVALUATION OF REGULATORY IMPACTS

In compliance with section 11(b) (1) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact of the reported bill.

The reported bill does not add or reduce the regulatory authority provided by existing law.

COST OF LEGISLATION

Sections 11(a) (1) and (2) of Rule XXVII of the Standing Rules of the Senate require publication in the report of Committee's estimate of the costs of the reported legislation, together with estimates prepared by any Federal agency. This bill provides an authorization of \$264,045,000 for fiscal year 1983.

BUDGET SUMMARY BY MEDIA

Media, program category	1982 recommended authorization	1982 estimate	1983 President's request	1983 committee authorization recommendation
Air quality.....	\$64,430	\$55,732	\$47,185	\$55,685
Water quality.....	48,039	45,090	27,710	39,710
Drinking water.....	29,713	28,353	22,906	25,906
Hazardous waste.....	31,046	29,488	29,579	33,964
Pesticides.....	6,876	5,582	6,469	6,469
Radiation.....	2,982	2,545	1,586	2,041
Interdisciplinary.....	6,484	5,704	4,213	10,870
Toxic substances.....	38,008	31,176	26,649	28,149
Energy.....	70,116	52,492	34,530	51,530
Program management and support.....	8,512	7,883	8,721	9,721
Agency total.....	306,235	264,045	209,548	264,045

¹ This total must be reduced by \$1 million to be apportioned among the media, excluding program management and support, at the discretion of the Administrator.

Section 403 of the Congressional Budget and Impoundment Control Act requires each report to contain a statement of the cost of such reported bill prepared by the Congressional Budget Office. That report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 14, 1982.

HON. ROBERT T. STAFFORD,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for the Environmental Research, Development, and Demonstration Act of 1983.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

RAYMOND C. SCHEPPACH
(For Alice M. Rivlin, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: Not Yet Assigned.
2. Bill title: Environmental Research, Development, and Demonstration Act of 1983.
3. Bill status: As ordered reported by the Senate Committee on Environment and Public Works, May 10, 1982.
4. Bill purpose: This bill authorizes the appropriation of \$264 million for the research and development (R&D) programs of the Environmental Protection Agency (EPA) for fiscal year 1983. The bill specifies the following authorization levels for the nine major areas of EPA's research program: air quality, \$55.7 million; energy, \$51.5 million; water quality, \$39.7 million; hazardous substances, \$34 million; toxic materials, \$28.1 million; drinking water quality, \$25.9 million; interdisciplinary studies, \$10.9 million; pesticides, \$6.5 million; and radiation, \$2 million. An additional \$9.7 million would be available for program management and support. The bill also earmarks \$15 million of the funds appropriated to the Hazardous Substances Response Trust Fund (or "Superfund") for R&D activities in fiscal year 1983.

This authorization level, in total, is the same as the EPA's estimate of the fiscal year 1982 budget authority for these activities, including salaries and expenses. The President's fiscal year 1983 request for these programs is \$209.5 million.

5. Cost estimate:

Authorization level:

Fiscal year:	Millions
1983	\$264.0
1984	-----
1985	-----
1986	-----
1987	-----

Estimated outlays:

Fiscal year:	
1983	79.2
1984	121.0
1985	42.5
1986	21.3
1987	-----

The cost of this bill fall within budget functions 300 and 270.

6. Basis of estimate: This estimate assumes that the bill will be enacted and that the entire authorization will be appropriated prior to fiscal year 1983. Annual outlays were estimated using the historical spendout patterns for EPA's research and development activities. The \$15 million reserved for R&D under the Superfund are not included in the above estimate, because this stipulation does not entail any additional authorization.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Kathleen M. Gramp.

10. Estimate approved by:

C. G. NUCKOLS
(For James L. Blum,
Assistant Director for Budget Analysis).

ADDITIONAL VIEWS OF SENATOR MURKOWSKI

Significant projects in the field of cold climate research have been funded through EPA's Research and Development program since the late 1970's. EPA's Office of Research and Development has funded cold climate environmental research in the amount of approximately \$1 million per year. This support has enabled priority Alaskan problems to be addressed. Research regarding the automatic cold start and other carbon monoxide emissions problems unique to the State of Alaska and directly tied to that State's promulgation of State Implementation Plans for the Anchorage and Fairbanks carbon monoxide non-attainment area has been conducted under that funding level. Similar funding is necessary in fiscal year 1983 to complete that research satisfactorily.

Cold climate research funds have also been used to conduct applied research on "real world" environmental concerns, such as the long-term impact of oil discharges in Valdez harbor. In addition research relevant to the high incidence of liver cancer among those who use Yukon River as a drinking water source and asbestos-caused hepatitis among Native villagers.

In order to focus research efforts on these critical health and environment-related issues affecting residents of cold climate areas such as Alaska, the Office of Research and Development of the Environmental Protection Agency should continue to direct at least the current level of \$1 million per year to the Cold Climate Research Program.

FRANK H. MURKOWSKI.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, it is reported that this bill effects no change in existing law.

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